

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

DONALD P. SPEAKMAN, STEPHEN H.
WEDEL AND MARK ROBARE,
Individually An On Behalf Of All Others
Similarly Situated,

Plaintiff

v.

ALLMERICA FINANCIAL LIFE INS. &
ANNUITY CO., FIRST ALLMERICA
FINANCIAL LIFE INS. CO., AND
ALLMERICA FINANCIAL CORP.,

Defendant

Civil Action

No. 04-40077-FDS

ASSENTED TO MOTION FOR LEAVE TO FILE REPLY MEMORANDUM

Pursuant to Local Rule 7.1(B)(3), Jordan Gates moves for leave to file an additional document, in the form of a Reply Memorandum, to respond to certain issues contained in the Allmerica's Opposition to Gates' Motion for Relief from Judgment, as will assist the Court in determination of such motion.

A copy of Gates' proposed reply memorandum is attached as Exhibit 1.

JORDAN P. GATES

By his Attorneys,
RIEMER & BRAUNSTEIN LLP

Dated: November 29, 2006

/s/Mark W. Corner

Mark W. Corner, BBO #550156
Riemer & Braunstein LLP
Three Center Plaza
Boston, Massachusetts 02108
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CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)

I, Mark W. Corner, counsel of record for the Defendant Federal Insurance Company, state under the penalties of perjury that I contacted Jonathan Shapiro, counsel of record for the Defendant Allmerica, in a good faith effort to narrow or resolve the issue presented in this motion. Attorney Shapiro indicated that he would assent to such motion.

**SIGNED UNDER THE PENALTIES OF PERJURY THIS 29th DAY OF
NOVEMBER, 2006.**

/s/Mark W. Corner
Mark W. Corner

CERTIFICATE OF SERVICE

Mark W. Corner hereby certifies that the foregoing document was served upon all counsel receiving electronic file notification in this matter on November 29, 2006.

/s/Mark W. Corner
Mark W. Corner

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